

REMARKS

This application has been reviewed in light of the final Office Action mailed on May 13, 2009. Claims 1-20 are pending in the application with Claims 1, 15, and 19 being in independent form. By the present Amendment, Claims 1, 15, and 19 have been amended.

Claims 1-20 were rejected under 35 U.S.C. 102(b) as being anticipated by Sato et al. (US 2002/0003798A1), hereinafter referenced as Sato. Specifically, the Examiner found:

The behaviour of the transmitter corresponding to the non-contiguous quality ranges is identical, is read as transmission of the same multicast information to all the terminals. The claim language as interpreted broadly and reasonably does not exclude different coding rates and transmission rates.

Applicants have amended Claims 1, 15, and 19 to clarify that the claim language excludes different transmission rates. Sato teaches that each quality range corresponds to a different transmission rate (Para 0072, Figs. 10, 15). Since the claim language as amended explicitly requires that at least two quality ranges correspond to an identical transmission rate, Sato does not anticipate Claims 1-20. Accordingly, Applicants request that the rejection under 35 U.S.C. 102(b) be withdrawn.

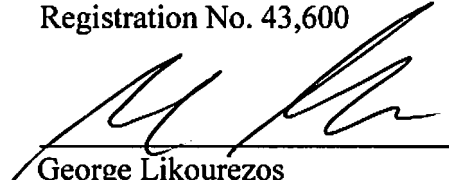
In view of the foregoing amendments and remarks, it is respectfully submitted that all the claims presently pending in the application are believed to be in condition for allowance.

If the Examiner should have any questions concerning this communication or feels that an interview would be helpful, the Examiner is requested to contact the undersigned.

Respectfully submitted,

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Date: July 8, 2009

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